

STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
NEW JERSEY BOARD OF REAL  
ESTATE APPRAISERS

IN THE MATTER OF THE SUSPENSION :  
OR REVOCATION OF THE LICENSE OF : Administrative Action  
:  
ABRAHAM GREEN :  
License No. 42RC00159700 : FINAL ORDER  
:  
TO PRACTICE REAL ESTATE APPRAISING : OF DISCIPLINE  
IN THE STATE OF NEW JERSEY :

This matter was opened to the New Jersey Board of Real Estate Appraisers (the "Board") upon receipt of information which the Board has reviewed and upon which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Abraham Green ("Respondent") is licensed as a State Certified Residential Real Estate Appraiser in the State of New Jersey and has been a licensee at all relevant times.
2. In or about March 2012, the Board received information indicating that respondent may have inflated a property appraisal that he had reported on August 3, 2005. On or about March 20, 2012, the Board sent Respondent a letter to his address of record in Lakewood, New Jersey seeking information about the 2005 report.
3. Respondent replied with a letter dated April 20, 2012

and attachments.

4. On or about August 8, 2012, the Board sent Respondent a Demand for Written Statement Under Oath to his address of record in Lakewood, New Jersey via regular and certified mail seeking further information concerning the 2005 report and Respondent's practice. The document advised that failure to respond may result in suspension of Respondent's license and imposition of penalties. The certified mailing to Respondent's address of record was returned as "Not Deliverable As Addressed, Unable to Forward." The regular mailing to the same address was not returned. The Board never received a response.

#### CONCLUSIONS OF LAW

Respondent's failure to respond to the Board's Demand for Written Statement Under Oath constitutes a failure to cooperate with a Board investigation, in contravention of N.J.A.C. 13:45C-1.2 - 1.3, which the Board deems professional misconduct within the meaning of N.J.S.A. 45:1-21(e), and thus subjects Respondent to disciplinary action pursuant to N.J.S.A. 45:1-21(h). Pursuant to N.J.A.C. 13:40A-7.10, Respondent had a duty to provide the Board with a valid address of record, to notify the Board of any changes to his address of record, and service of process to the address of record shall be deemed adequate

notice.

Based on the foregoing findings and conclusions, a Provisional Order of Discipline imposing a one thousand dollar (\$1,000) civil penalty and suspending Respondent's license until he responded was entered on October 26, 2012. Copies were served upon Respondent via regular and certified mail. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the thirtieth day following entry unless Respondent requested a modification or dismissal of the stated findings of fact and conclusions of law by setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

Respondent timely responded to the Provisional Order of Discipline by providing the answers to the Demand for Statement in Writing Under Oath that had originally been mailed to Respondent on August 8, 2012. Respondent maintains that he did not receive either the regular mailing or the certified mailing that the Board had sent to his address of record on August 8, 2012. Nonetheless, the regular mail was not returned and service was therefore deemed adequate. Additionally, the

returned certified mail indicates that notices were left for Respondent on August 13, 2012 as well as August 28, 2012.

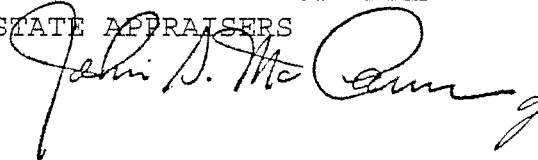
The Board reviewed Respondent's submissions and determined that further proceedings were not necessary and that no material discrepancies had been raised. The Board was not persuaded that the submitted materials merited further consideration, as Respondent did not dispute the findings of fact or conclusions of law. Inasmuch as Respondent provided the information originally requested, the Board determined that suspension was no longer warranted. However, the Board determined that Respondent's failure to respond to the original inquiry, thereby necessitating the filing of the Provisional Order of Discipline, and review of Respondent's subsequent reply months later, warrants imposition of a one thousand dollar (\$1,000) civil penalty.

ACCORDINGLY, IT IS on this 15<sup>th</sup> day of February, 2013,  
ORDERED that:

1. A civil penalty in the amount of one thousand dollars (\$1,000) is hereby imposed upon Respondent for the failure to cooperate. Payment shall be made by certified check or money order payable to the State of New Jersey, delivered to Charles Kirk, Executive Director, State of Board of Real Estate

Appraisers, 124 Halsey Street, Third Floor, P.O. Box 45032,  
Newark, New Jersey 07101. Payment shall be made no later than  
fifteen (15) days after the entry of any Final Order of  
Discipline in this matter. In the event Respondent fails to  
make a timely payment, a certificate of debt shall be filed in  
accordance with N.J.S.A. 45:1-24 and the Board may bring such  
other proceedings as authorized by law.

NEW JERSEY BOARD OF REAL  
ESTATE APPRAISERS

A handwritten signature in cursive script, appearing to read "John D. McCann", is written over the printed name and title.

By: \_\_\_\_\_

John McCann  
Board President